



Patent Docket P0978-1C1

1647

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Ashkenazi Serial No.: 09/459,808 Filed: December 13, 1999 For: Apo-2 Ligand	Group Art Unit: 1647 Examiner: D. Romeo CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service via first class mail with sufficient postage in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on October 5, 2001 <i>Diane L. Marschang</i> Diane L. Marschang
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TRANSMITTALAssistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is a Response to Restriction Requirement in the above-identified application.

The fee has been calculated as shown below.

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Additional Fees
Total		-			x 18 =	\$0.00
Independent		-			x 78 =	\$0.00
Multiple dependent claim(s), if any					+ 260 =	\$0.00
Total Fee Calculation						\$0.00

 X

No additional fee is required.

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$.00. **A duplicate copy of this transmittal is enclosed.**
Petition for Extension of Time is enclosed.

 X The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,
GENENTECH, INC.

Date: October 5, 2001

By:

*Diane L. Marschang*Diane L. Marschang
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PATENT TRADEMARK OFFICE



Patent Docket P0978-1C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Response to Restriction Requirement

Assistant Commissioner of Patents
Washington, D.C. 20231

SIR:

This paper is being filed in response to the Office Action mailed September 19, 2001, setting forth an election/restriction requirement.

Pending claims:

41. (Amended) A method of treating a mammal having neuroblastoma cancer, comprising administering to the mammal Apo-2 ligand polypeptide in an amount effective to induce cell death in the mammal's neuroblastoma/cancer cells.

42. (As filed) The method of claim 41 wherein radiation therapy or chemotherapy is further administered to the mammal.

43. (As filed) The method of claim 42 wherein the Apo-2 ligand polypeptide and the chemotherapy are administered concurrently.

44. (As filed) The method of claim 42 wherein the chemotherapy is selected from the group consisting of Doxorubicin, 5-Fluorouracil,